



ATTORNEY DOCKET NO. 14028.0284U2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
NEVILLE et al. ) Art Unit: 1644  
Application No. 09/810,999 ) Examiner: Ewoldt, Gerald R.  
Filing Date: March 16, 2001 ) Confirmation No. 7991  
For: USE OF IMMUNOTOXINS TO INDUCE )  
IMMUNE TOLERANCE TO PANCREATIC )  
ISLET TRANSPLANTATION )

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 7, 2004 finally rejecting claims 1, 2, 4, 8, 10, 12, and 13.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:  
(a) ☐ was obtained for \_\_\_\_\_ month(s).  
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.

10/13/2004 HHEKONEH 00000048 09810999

02 FC:1401

340.00 OP

ATTORNEY DOCKET NO. 14028.0284U2  
APPLICATION NO. 09/810,999

2. Payment in the amount of \$1,320.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:

☒ Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$340.00 for a Large Entity.

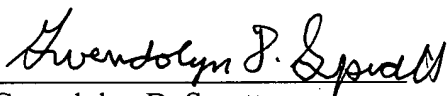
☒ Extension of time fee amount pursuant to 37 C.F.R. § 1.17(a)(3) = \$980.00 for a three month extension of time fee.

(a) ☒ enclosed.

This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

  
Gwendolyn D. Spratt  
Registration No. 36,016

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859  
(678) 420-9300  
(678) 420-9301 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

  
Gwendolyn D. Spratt

10-7-07  
Date